

**SANTA MONICA MOUNTAINS CONSERVANCY**

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June 23, 2008

Regional Planning Commission  
Los Angeles County Department of Regional Planning  
320 West Temple Avenue  
Los Angeles, California 90012

**Lyons Canyon Ranch FEIR Comments**  
**Vesting Tentative Tract Map No. 53653**  
**SCH No. 2003031086**

Dear Planning Commission Members:

The Santa Monica Mountains Conservancy always pursues the strongest protection for natural lands located both within County-designated Significant Ecological Areas (SEA) and adjacent to significant public lands--such as the Santa Clarita Woodlands Park. A project with significant SEA, oak woodland, and streambed impacts must have the most precise and enduring mitigation.

In addition to our Draft Environmental Impact Report (DEIR) comments that are addressed in the FEIR and that provide supportive background for the below requests, we adamantly request that the following mitigation measures be added to the certified FEIR to achieve this minimum level of mitigation. These mitigation measures require no modification of the proposed project.

Without the complete incorporation of each and every one these below mitigation elements in the FEIR, we urge the Commission not to certify the document on the grounds of inadequate mitigation for several unavoidable significant adverse biological impacts.

1. Per the DEIR and FEIR, open space lots 103-106 of the subject project shall be irrevocably offered for fee simple dedication to the Mountains Recreation and Conservation Authority (MRCA) or shall be recorded in fee simple by the MRCA prior to or concurrent with tract map recordation. Under absolutely no circumstances shall there be an exception to this requirement. If the land is not recorded by the MRCA prior to, or concurrent with, map recordation, the irrevocable offer to dedicate shall be duly recorded prior to map recordation.

The amount of land transferred in fee to the MRCA shall not be less than 122.74 acres per the DEIR and FEIR. If the MRCA does not accept the land within one year

after being notified via Certified Mail concurrently with the recording of an offer to dedicate, the offer to dedicate shall expire. The land shall be free and clear of all liens and encumbrances. The developer shall be allowed to conduct only the subject project required mitigation on lots 103-106 and only exactly as depicted in the DEIR and FEIR.

If any portions of lots 103-106 fall within the 200-foot-wide variable fuel modification zone depicted in the DEIR, the Homeowners Association (HOA) shall retain an easement solely for the purpose of fuel modification only where such overlap of DEIR and FEIR depicted fuel modification occurs. The Homeowners Association CC&Rs shall include all necessary elements to recognize this easement and to require that the HOA be wholly responsible for any fuel modification required on lots 103-106 as depicted in the DEIR and FEIR.

2. The Homeowners Association CC&Rs shall include an irrevocable requirement to provide an annual open space maintenance fee to the fee title holder of lots 103-106. That payment of \$15,000 annually shall first be due in full concurrently with map recordation. That map recordation date shall establish the annual due date for each subsequent \$15,000 payment. Fee owner of said open space lots shall invoice the HOA for all subsequent payments. Said fee shall include an indexed inflation adjustment.
3. No remedial grading or mechanical disturbance shall be allowed under any circumstances more than 15 feet outside of the shown limits of grading for Vesting Tentative Tract Map 53653. This amount of space should allow for normal calculation errors and difficult vehicle turnaround conditions that require added safety. Any grading or mechanical disturbance impact beyond 15 feet would constitute additional adverse ecological impact not addressed in the FEIR. Unforeseen geological instability must thus be solved internal to the limits of grading as shown in the DEIR and FEIR and approved by the Board of Supervisors.
4. The Gavin Canyon Trail with a 12-foot-wide easement as depicted in the DEIR and FEIR must be dedicated to the Los Angeles County Department of Parks and Recreation prior to or concurrent with tract map recordation. Under no circumstances shall there be an exception to this requirement. If the land is not transferred, an irrevocable offer to dedicate shall be duly recorded.
5. With the exception of one "required offsite access easement" (FEIR Exhibit 6-1) in the northwest project corner approximately following unpaved Lyon Ranch Road), the DEIR and FEIR do not depict or analyze any public or private access or utility

easements across any portion of open space lots 103-107 or the potential impacts of their improvement.

The two owners of APNs 2826-022, 022, 023 and 024 have gone on the public record for the subject project to request access easements. The above mentioned "required offsite access easement" could service these two subject ownerships. It is our understanding that the applicant has agreed to grant exclusive access and utility easements to the owners of these parcels in the width of approximately forty feet. The location and scope of the easements are not otherwise defined to our knowledge. The MRCA has APN 2826-022-024 under contract to acquire in July 2008.

Based on the DEIR and FEIR analysis and disclosure, the public must then be able to conclude that no other additional access and utility easements exist, or shall exist in the future, that can diminish the ecological integrity of open space lots 103-107 in any way shape or form. This conclusion must include any public street reservations to the Los Angeles County Department of Public Works. For the record APN 2826-022-024 does have a narrow easement across a small sliver of open space owned by the Vesting Tentative Tract Map No. 53653 owner.

The FEIR shall include a mitigation measure that expressly states that open space lots 103-106 must be offered to the MRCA free and clear of all access and utility easements except a future exclusive easement to benefit only APNs 2826-022, 022, 023 and 024. The narrow easement coming from the north that benefits APN 2826-022-024 would be the one exception.

Please address any future documents to the attention of Paul Edelman at the letterhead address and questions to him at (310) 589-3200 ext. 128.

Sincerely,

RONALD P. SCHAFER  
Chairperson